

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

UNITED STATES OF AMERICA)
)
)
v.) **Case No.: 3:06cr151-MEF**
)
JEFFREY DOUGLAS COSBY)

RESPONSE TO GOVERNMENT'S MOTION TO CONTINUE TRIAL

COMES NOW the Defendant, Jeffrey Douglas Cosby, by and through undersigned counsel, Kevin L. Butler, and files this response to the government's Motion to Continue Trial filed on August 3, 2006 (Docket #29).¹

Mr. Cosby is charged with inducing a minor to engage in sexual activity knowing such depictions would be recorded and disseminated in interstate commerce in violation of 18 U.S.C. § 2251(a). Because of prior conviction for a similar offense, if found guilty of this offense, this Court may have to sentence Mr. Cosby to a mandatory minimum sentence of 25 years in the custody of the Federal Bureau of Prisons. Additionally, investigation of this case is time consuming and complex as the illegal acts occurred in Indiana and outside of this Federal District. Finally, undersigned counsel (with the assistance of government counsel) is making arrangements to review and analyze what appears to be thousands of digital images that may be relevant to all parties and this court for purposes of pretrial motions, trial and sentencing. Therefore, the defense needs additional time to prepare for trial.

¹ This pleading also responds to this Court's August 4, 2006 Show Cause Order. (Docket #30).

WHEREFORE for the reasons set forth above, the defense leaves it to the Court's discretion to determine whether trial should be continued and submits no formal opposition to the government request for a continuance.

Respectfully submitted,

s/ Kevin L. Butler
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CERTIFICATE OF SERVICE

I hereby certify that on August 14, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:
Susan Redmond, Assistant United States Attorney.

Respectfully submitted,

s/ Kevin L. Butler
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